

ENVIRONMENTAL ASSESSMENT

BROWNS PARK NATIONAL WILDLIFE REFUGE

PROPOSED TRANSFER FROM BUREAU OF LAND MANAGEMENT

U.S. FISH AND WILDLIFE SERVICE
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Chapter 1. Purpose of and Need for Action

Introduction and Background

Browns Park National Wildlife Refuge (NWR) is located in northwestern Colorado along the Green River as it flows through the remote valley known as Browns Park (or Browns Hole). The 13,455-acre Refuge was established when the Migratory Bird Conservation Commission approved acquisition on August 20, 1963 (See Map #1). Under the Migratory Bird Conservation Act and the Refuge Recreation Act, the purposes of Browns Park NWR are to provide sanctuary for migratory birds, to provide for suitable fish and wildlife dependent recreation, protection of natural resources, and conservation of endangered and threatened species. The Refuge possesses three key wildlife values: its wetlands provide important migration and breeding habitat for waterfowl and water birds, riparian habitat provides important migration and breeding habitat for songbirds, and Refuge uplands provide critical winter habitat for large mammals such as mule deer, elk, and pronghorn. Browns Park NWR also provides unique and important values for people. The Refuge's contribution to the National Wildlife Refuge System is a unique combination of wildlife, solitude, scenery, and nationally significant human history.

Federal land administered by the Bureau of Land Management (BLM) and the National Park Service surrounds the Refuge. To the south, the Refuge abuts lands recommended for wilderness designation by the BLM, including the proposed Diamond Breaks Wilderness Study Area. To the north and west, the Refuge is bounded by BLM land without land use restrictions until the boundary of proposed West Cold Springs Wilderness Study Area is reached. Uses occurring on these lands to the north and west are a potential source of harm to the Refuge and the wildlife that uses it. Mineral development, off-road vehicle use, and oil and gas development all have the potential to impact the Refuge. Sensitive, significant archeological sites exist on the Refuge and on proposed transfer lands that could be better protected by Fish and Wildlife Service ownership. The Refuge boundary, established in 1965, was placed along section lines rather than along Highway 318. Although the boundary is well signed, hunters and campers are frequently confused about their location and disappointed when they discover that they have violated Refuge regulations while doing something that was permissible on adjacent BLM land. A better boundary is needed to alleviate much of the confusion and to better protect the Refuge.

The U.S. Fish and Wildlife Service is the principal Federal agency with responsibility for conserving, protecting, and enhancing fish and wildlife and their habitats. The Service manages a diverse network of more than 500 national wildlife refuges, a System which encompasses more than 92 million acres of public land and water which provides habitat for more than 5,000 species of birds, mammals, fish, and insects.

Purpose and Need for Action

The primary purpose of the proposed land transfer is to improve management and identification of lands protected for wildlife and to reduce confusion over permitted uses. A stated goal of Browns Park NWR is to conserve wildlife within the Refuge and the surrounding ecosystem. A critical part of reaching this goal is to reduce threats to Refuge wildlife from conflicting land uses that occur adjacent to the Refuge boundary. The transfer of 6,000 acres of BLM land adjacent to the northern boundary of the Refuge is a strategy to meet this goal.

This action is needed because regulations over hunting, camping, and off-road vehicle use differ markedly between surrounding BLM land and the Refuge. Even though Refuge land is fenced and posted every quarter mile along the boundary, confusion still prevails. People enter the Refuge thinking they are still on BLM administered land and often violate Refuge regulations.

Project Study Area

Browns Park NWR and the adjacent proposed acquisition lie in a remote northwest corner of Colorado in Moffat County. The Refuge is 95 miles from the nearest incorporated town of Craig, Colorado. The Refuge is located along the Green River as it passes through the valley known as Browns Park or Browns Hole.

The project location is entirely within Moffat County, Colorado, and contiguous with the executive boundary of the Refuge. Approximate size of the expansion is 6,000 acres; however, the final size will be determined by which alternative is selected in the decision document (e.g. Environmental Assessment).

Decisions to be Made

Based on the analysis provided in this Environmental Assessment, the Regional Director of the U.S. Fish and Wildlife Service, Region 6 - Mountain Prairie Region, will make three decisions.

1. Determine whether the Service should carry out the proposed transfer of 6,000 acres from the Bureau of Land Management. If yes,
2. Select an alternative for the addition to Browns Park NWR, and
3. Determine whether the selected alternative will have a significant impact upon the quality of the human environment. This decision is required by the National Environmental Policy Act (NEPA) of 1969. If the quality of the human environment is not affected, a Finding of No Significant Impact will be signed and will be made available to the public. If the alternative will have a significant impact, then an Environmental Impact Statement will be prepared to further address those impacts.

Issues Identified and Selected for Analysis

Biological Issues

Wildlife

- The benefits of upland habitat on the BLM land to migratory birds and upland game species that is not currently being maximized.
- Additional property is needed by the Refuge for additional protection of wildlife and associated public uses.

Noxious Weeds

- Concern over an increase in noxious weeds.

Archeological

- Archeological resources need additional protection.

Social and Economic Issues

- Grazing issues between BLM permitted and proposed Service permitted.
- Moffat County desires to operate an existing gravel pit, and to develop a new gravel pit in the future. Aesthetics and its effect on the quality of the recreational experience on the Refuge could be compromised.

Related Actions and Activities

Dinosaur National Monument is located in northwestern Colorado and northeastern Utah, straddling the border of these states, and is 210,000 acres in size. About two-thirds of the park is in Colorado. Dinosaur National Monument protects a large deposit of fossil dinosaur bones--remains that lived millions of years ago. President Woodrow Wilson proclaimed the site as Dinosaur National Monument in 1915. Years later, the National Park Service began to develop the quarry as it is today. The rock layer containing the fossil bones forms one wall of the Quarry Visitor Center. On this wall, paleontologists have carefully chipped away the rock to uncover the bones and leave them in place. More than 1,500 fossil bones can now be seen in this unusual exhibit. The Monument also offers magnificent scenery and hiking in a wild landscape (www.nps.gov/dino).

Bureau of Land Management land administrated by the Little Snake Field Office in Craig, Colorado, encompasses 3,258,000 acres of Federal, State and private lands in Moffat, Routt, and Rio Blanco Counties. Of the total area, 1.3 million acres are public

lands administered by BLM and 1.1 million acres of the private and state lands are underlain by federally owned minerals. Resource activities include wildlife, cultural resources, grazing, minerals, forest products, rights-of-way, paleontological resources, and recreation (www.co.blm.gov/lra/lraindex.htm).

The Ashley National Forest, with headquarters in Vernal, Utah, comprises 1.3 million acres located in the northeastern portion of Utah and southwestern portion of Wyoming. The Ashley National Forest was established by President Theodore Roosevelt in 1908. Its forest and range lands are protected and managed to ensure timber, grazing, minerals, water, and outdoor recreation for the American people. The lands are located in three major areas: the northern and southern slopes of the Uinta Mountains, the Wyoming Basin, and the Tavaputs Plateau. The Ashley National Forest has the remarkable features of Kings Peak (highest peak in Utah), Flaming Gorge National Recreation Area, Flaming Gorge-Uintas National Scenic Byway, the Green River Corridor, and the High Uintas Wilderness (www.fs.fed.us/r4/ashley).

Ouray and Seedskadee National Wildlife Refuges are also located along the Green River and feature similar habitats. Ouray NWR is approximately 50 miles to the southwest. Seedskadee NWR is approximately 80 miles to the northwest.

National Wildlife Refuge System and Authorities

Approximately 6,000 acres transferred from BLM would be administered as part of the National Wildlife Refuge System and operated as part of Browns Park NWR in accordance with the overall mission of the National Wildlife Refuge System. The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitat within the United States for the benefit of present and future generations of Americans. The broad goals of the National Wildlife Refuge System describe the conservation of the nation's wildlife resources for the ultimate benefit of people.

Guiding Principles of the National Wildlife Refuge System

1. **Habitat.** Fish and wildlife will not prosper without high-quality habitat, and without fish and wildlife, traditional uses of refuges cannot be sustained. The National Wildlife Refuge System will continue to conserve and enhance the quality and diversity of fish and wildlife habitat within refuges.
2. **Public Use.** The National Wildlife Refuge System provides important opportunities for compatible wildlife-dependent recreational activities involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation.
3. **Partnership.** America's sportsmen and women were the first partners who insisted on protecting valuable wildlife habitat within national wildlife refuges. Conservation

partnership with other Federal agencies, State agencies, tribes, organizations, industry, and the general public can make significant contributions to the growth and management of the National Wildlife Refuge System.

4. **Public Involvement.** The public should be given full and open opportunity to participate in decisions regarding acquisition and management of our national wildlife refuges.

Goals of the National Wildlife Refuge System

- a. To preserve, restore, and enhance in their natural ecosystems (when practicable) all species of animals and plants that are endangered or threatened with becoming endangered.
- b. To perpetuate the migratory bird resource.
- c. To preserve a natural diversity and abundance of fauna and flora on refuge lands.
- d. To provide an understanding and appreciation of fish and wildlife ecology and the human's role in the environment.
- e. To provide refuge visitors with high quality, safe, wholesome, and enjoyable recreational experiences oriented toward wildlife, to the extent these activities are compatible with the purpose for which the refuge was established.

The proposed land transfer would be managed as part of the National Wildlife Refuge System in accordance with the National Wildlife Refuge System Administration Act of 1966, Refuge Recreation Act of 1962, Executive Order 12996 (Management and General Public Use of the National Wildlife Refuge System), National Wildlife Refuge System Improvement Act of 1997, and other relevant legislation, executive orders, regulations, and policies.

Purpose of Refuge

The purpose or mission of Browns Park NWR is to conserve, manage, and restore a diversity of wildlife and a diversity of habitats important to migratory birds and other species, while providing compatible wildlife-dependent recreation.

Goals of Refuge

The following Refuge goals have been derived from the Refuge mission:

Wildlife

The Service will conserve wildlife within the Refuge and the surrounding ecosystem.

Habitat

The Browns Park NWR will manage wetlands to meet the migratory and/or breeding requirements of American bittern, northern harrier, white-faced ibis, waterfowl, shore birds and other water birds. The Refuge will manage the riparian habitat to meet the migratory and/or breeding requirements of birds dependent on the Green River corridor. The Refuge will also manage grasslands to meet the breeding requirements of migratory birds and the wintering requirements of mule deer and elk. The Refuge's semidesert shrub lands will be managed to meet the breeding requirements of loggerhead shrike, Brewer's sparrow, other migratory birds, and sage grouse and the wintering requirements of mule deer, pronghorn, and elk. The Refuge will manage its pinyon-juniper habitat to meet the breeding requirements of migratory birds.

People

Browns Park NWR will provide opportunities for wildlife-dependent recreation that are compatible with the Refuge's purposes for the benefit of all people.

Conservation of wildlife habitat with the transfer of land from BLM also would continue to be consistent with the following policies and management plans:

1. Bald Eagle Recovery Plan (Northern States) (USFWS 1983)
2. Peregrine Falcon Recovery Plan

The Habitat Protection and Land Acquisition Process

Once the project is approved, a request will be forwarded to the Bureau of Land Management for the tract to be transferred.

The authority for the transfer is the Fish and Wildlife Act of 1956 (16 U.S.C. 742 f (b) (1), as amended.

Refuge Revenue Sharing Act

Under provisions of the Refuge Revenue Sharing Act (Public Law 95-469), the Service annually reimburses counties to offset revenue lost as a result of acquisition of private property. This law states that the Secretary of the Interior (Secretary) shall pay to each county in which any area acquired in fee title is situated, the greater of the following amounts:

1. An amount equal to the product of 75 cents multiplied by the total acreage of that portion of the fee area which is located within such county.
2. An amount equal to $\frac{3}{4}$ of 1 percent of the fair market value, as determined by the Secretary, for that portion of the fee area which is located within such county.
3. An amount equal to 25 percent of the net receipts collected by the Secretary in connection with the operation and management of such fee area during such fiscal year. However, if a fee area is located in two or more counties, the amount for each county shall be apportioned in relationship to the acreage in that county.

The Refuge Revenue Sharing Act also requires that Service lands be reappraised every five years to ensure that payments to local governments remain equitable. Payments under this Act would be made only on lands that the Service acquires in fee title.

Chapter 2. Alternatives, including the Preferred Alternative

Chapter 2 describes two alternatives: a no action alternative and the preferred alternative to transfer approximately 6,000 acres from BLM to the Service .

Alternative A. No Action

Under Alternative A, the Service would not pursue a transfer from BLM for approximately 6,000 acres. It would be likely that BLM would manage the property for the foreseeable future.

Alternative B. The Acceptance of Transferred Land From the Bureau of Land Management

Under Alternative B, the Service would accept the transfer, in fee interest, of approximately 6,000 acres adjacent to Browns Park NWR (See Map #2). Under this preferred alternative, the resources on the transferred land would be protected as would the resources on the Refuge by defining a clear Refuge boundary. Land use restrictions that do not allow mineral development, off-road vehicle use, and oil and gas development would be sought on the proposed transfer.

Uses occurring on these lands, between Highway 318 and the Refuge boundary, are a potential source of harm to the Refuge and the wildlife that uses it. Mineral development, off-road vehicle use, and oil and gas development all have potential to impact the Refuge. A county gravel pit on the proposed transfer lands is not in use (Comstock). Sensitive, significant archeological sites exist on the Refuge and on proposed transfer lands that could be better protected by Service ownership by controlling off-road vehicle use. The Refuge boundary, established in 1965, was placed along section lines rather than along roadways. Although the boundary is well signed, hunters and campers are frequently confused about their location and disappointed when they discover that they have violated Refuge regulations while doing something that was permissible on adjacent BLM land. Alternative B would establish a better boundary to alleviate much of the confusion and to better protect the Refuge.

Chapter 3. Affected Environment

This chapter describes the existing biological, social, economic, and cultural resources that would most likely be affected by this acquisition.

Biological Environment

Climate

The proposed land transfer lies in a semi-arid zone with average annual temperatures ranging from 40 to 52 degrees Fahrenheit. Summer is short and hot, and winters are cold. The area receives an average of 5 to 14 inches annually with precipitation occurring year-round (Bailey 1995).

Wildlife Habitat

The 6,002 acres of land proposed for transfer from BLM to the Service is primarily upland shrub habitat with scattered clumps of pinyon-juniper woodland (See Map # 3).

Browns Park NWR and the surrounding area provides habitat for 300 species of wildlife. The Refuge was established under the Migratory Bird Treaty Act and the Refuge Recreation Act. These Acts list migratory birds and endangered and threatened species as high priorities. Habitat needs of the three federally listed species known to occur on the Refuge (peregrine falcon, bald eagle, and Ute's ladies-tresses) can be met with little active management on the Refuge. The Refuge provides habitat for over 200 species of migratory bird, as well as providing important habitat for resident wildlife species such as mule deer, elk, pronghorn, and sage grouse (nonmigratory bird).

Upland shrub

The shrublands are dominated by big sagebrush, black sagebrush, greasewood, rabbitbrush, spiny hopsage, shadscale, and winterfat with a grass understory of Indian ricegrass, needle-and-thread, sand dropseed and cheatgrass. Refuge species that rely on this habitat for breeding include sage grouse, burrowing owls, short-eared owls, loggerhead shrikes, sage thrashers, Brewer's sparrows, sage sparrows, Ord's kangaroo rats, and sagebrush voles. This area is/could be used as winter range by mule deer and, to a lesser extent, pronghorn. Approximately 1,000 mule deer and about 50 pronghorn winter on adjacent Refuge lands each year.

Upland shrub areas are important breeding habitat for two U.S. Fish and Wildlife Service species of management concern, the loggerhead shrike and Brewer's sparrow (USFWS 1995). Loggerhead shrikes have very specific habitat requirements. They prefer nesting in isolated clumps of greasewood or other shrubs in close proximity to power lines for perching, barbed wire fences for good food caches, and unvegetated areas for foraging. Brewer's sparrow prefers nesting in arid shrubs such as greasewood or sagebrush of moderate height (2 to 5 feet) and moderate density.

Pinyon-juniper woodlands

Pinyon-juniper areas are comprised of Colorado pinyon pine and Utah juniper. Species that rely on this habitat for breeding include gray flycatchers, pinyon jays, juniper titmice, black-throated gray warblers and pinyon mice.

Adjacent Refuge lands

In addition to upland shrub habitat and pinyon-juniper, woodlands like the habitat found on the proposed addition. Browns Park NWR has other important types of wildlife habitat.

Browns Park NWR is centered along the Green River which provides important riparian habitat. Native vegetation includes Fremont's cottonwood, narrow-leaved cottonwood, river Birch, buffaloberry, three-leaved sumac, boxelder, and sandbar willow. Refuge species that depend on this habitat for breeding include great blue herons, Barrow's goldeneyes, common mergansers, spotted sandpipers, yellow-billed cuckoos, western screech-owls, willow flycatchers, Eastern kingbirds, house wrens, yellow warblers, Bullock's orioles, moose, beavers, and river otters. Riparian corridors are also important habitat for migrating birds including warbling vireos, orange-crowned warblers, yellow warblers, northern waterthrush, MacGillivray's warblers, Wilson's warblers, yellow-breasted chats, and other species. Birds use this habitat for foraging, roosting, and cover during migration.

There are several special status species that use the Refuge riparian habitat. Special status species are defined as Endangered/Threatened Species or Species of Management Concern under the Endangered Species Act of 1973 (as amended) and/or State Protective Acts. The federally endangered pike minnow inhabits the Green River; however, these fish are not thought to breed on the Refuge. The river otter is a State-listed endangered species. Otters reintroduced to the Green River have colonized the Refuge, and young of the year have also been sighted indicating that breeding is occurring on or adjacent to the Refuge. Approximately 30 bald eagles, currently listed as a threatened species, use the riparian habitat for perching and hunting fish. The Ute ladies-tresses orchid, which is also federally threatened, has recently been found along the floodplain of the Green River on the Refuge.

Approximately 1,900 acres of grassland habitat exist on the Refuge. Dominant plant species include alkali sacaton, inland saltgrass, western wheatgrass, and Great Basin wildrye. Refuge species that depend on this habitat for breeding include savannah sparrows and montane voles. Refuge grasslands provide winter range for approximately 400 elk during normal winters; harsh winters may bring as many as 1,200. Mule deer also forage in grassland and other areas during winter.

Wetland habitat on the Refuge includes deep-water, shallow marsh, and wet meadows. Hardstem bulrush and cattail are the dominant plant species. Refuge species that depend on this type of habitat for breeding include pied-billed grebes, American bitterns, gadwalls, American wigeons, blue-winged teals, cinnamon teals, northern shovelers, northern pintails, green-winged teals, canvasbacks, redheads, ring-necked ducks, ruddy

ducks, Virginia rails, soras, American coots, marsh wrens, red-winged blackbirds, yellow-headed blackbirds, tiger salamanders, Woodhouse's toads, northern leopard frogs, mink, and muskrats. A great number of migratory waterbirds rely on wetland habitat on the Refuge for foraging and resting during spring and fall migration. Peak use can total approximately 20,000 waterbirds in April-May and again in October.

Wetlands on the Refuge provide important habitat for three species of management concern. American bitterns and northern harriers breed on the Refuge while white-faced ibis rely on wetland habitat during migration.

Social and Economic Considerations

Local Economy

The economy of Moffat County is divided among several sectors. The government employs the largest percentage of the population (18.5) with the Moffat County Schools, Moffat County, and BLM as major employers. Retail trade employs 17.2 percent of Moffat County's workforce, but no one employer dominates this sector. Likewise, the service industry in general employs 17.2 percent of the workforce but is not dominated by any particular company. Almost 15 percent of the workforce is involved in mining with ColoWyo Coal Company, Trapper Mining Company, and Empire Energy considered major employers. Agriculture is also a significant portion of the economy employing 9.5 percent of the workforce. The remaining workers in Moffat County are employed in construction, transportation and public utilities, wholesale trade, finance, insurance, and real estate (BLM web page).

Landownership

Just over one-half of Moffat County is federally owned. By far, the major agency holding land in the County is BLM at 1.5 million acres. The remaining 200,000 acres are owned by the National Park Service, the U.S. Forest Service, and the U.S. Fish and Wildlife Service in descending order. The Service owns just 11,956 acres in Moffat County. The majority of BLM land in Moffat County is in the western part of the County.

Public use and wildlife-dependent recreational activities

Numerous public use activities are currently permitted on the proposed land transfer under BLM jurisdiction.

Cultural Resources

The Browns Park NWR area is rich in cultural resources. The earliest visible cultural sites belong to the Fremont Indian culture that occupied Browns Park from approximately 300AD. Granaries, or storage buildings that held corn, remain today. This same culture

left petroglyphs, rockcarvings of strange peoples and animals, on rock slabs on and near the Refuge. Sometime after the Fremont Indians disappeared, a portion of the Shoshone or Snake Tribe arrived and began spending winters in the relatively mild climate of Browns Park. Tepee rings and other less dramatic evidence remain on the Refuge and adjacent BLM land. During the Shoshone occupation, Euro-American trappers and traders entered the Valley. Three of these traders built a fort they christened Fort Davy Crockett. Sometime after the fur trade dissolved, cattle ranchers entered the Valley and began grazing the surrounding area. Not long after outlaws, including such notables as Butch Cassidy and the Wild Bunch, set up in the Valley because it offered shelter from the law and for their rustled livestock.

Three National Historic Sites exist on the Refuge. The Lodore School is a schoolhouse that was erected in 1911. The Refuge permits the Browns Hole Homemakers Club to maintain and use the School for community events. The Two Bar Ranch is a late 19th century ranch that was winter headquarters for Ora Haley, a powerful rancher during that time. Fort Davy Crockett is the third Site on the Refuge. A possible fort site was excavated on the Refuge in 1984. While there is little doubt that the Fort existed on the Refuge, the results of the excavation did not conclusively prove the location.

BLM rates the area's gas and oil development potential as low-intermediate to high-intermediate. A secondary threat to the Refuge is continued gravel mining. These activities pose threats to the vegetation, soils, Green River water quality, and resident and migratory wildlife. The construction of a gravel pit just outside the current boundary demonstrates that the Refuge may be vulnerable to development that impacts wildlife and the quality of wildlife-dependent recreational experiences for Refuge visitors. Related issues involves hunting, camping, and off-road use.

Chapter 4. Environmental Consequences

This section assesses the environmental impacts expected to occur from the implementation of Alternatives A or B as described in Chapter 2. Environmental impacts are analyzed by issues for each alternative and appear in the same order as discussed Chapters 1 and 3.

Effects on the Biological Environment

Wildlife

Alternative A (No Action) - If the Service does not receive the transfer of BLM land, upland wildlife species will continue to use the property, but an opportunity to protect vegetation from oil and gas development, mineral mining, and off-road vehicle use will be lost. The no action would present a lost opportunity to protect additional upland habitat that benefits migratory birds and upland game species that is not currently being maximized. The BLM land will continue to be used as a multiple use area. Refuge land would continue to be impacted by BLM users, hunters and campers who are frequently confused about their location and disappointed when they transverse to Refuge land and discover that they have violated Refuge regulations.

Alternative B (Preferred Alternative) - This alternative benefits upland wildlife species on the proposed BLM land transfer and adjacent Browns Park NWR. The Refuge proposes to restrict oil and gas development, mineral mining, and off-road use and limit vehicle use to established roads. The diversity of habitat within the proposed addition provides the life requirements for an equally diverse assemblage of wildlife species. A great number of migratory birds rely on a variety of habitats on the Refuge and the proposed addition for foraging and resting during spring and fall migration. The close proximity of Refuge staff who actually live in the Valley would make archeological items more secure.

Noxious Weeds

Alternative A (No Action) - As in many places in the western states, noxious weeds are becoming a greater management challenge to public and private landowners. Most noxious weed problems in the Browns Park area are associated with the wetland habitat. Under this alternative, there is a probability that off-road vehicle use on BLM land will increase with additional pressure from hunters and recreational users. With the disturbance of soil from off-road vehicles and mineral mining, noxious seeds will probably increase. BLM contracts with other groups, e.g. Moffat County, to control noxious weeds on their land.

Alternative B (Preferred Action) - Because most of problematic noxious weeds occur on the Refuge wetlands, the Service is actively concentrating weed control on the bottom lands of the Refuge. Noxious weeds, such as pepperweed, saltceder, Russian knapweed, and leafy spurge, are the troublesome weeds that the Refuge is holding in check. The Service will be taking advantage of all control tactics available including beneficial insects. Under this alternative, noxious weeds will likely be held under control due to restrictive off-road vehicle use. Noxious weed control under this alternative will be most intense along boundaries shared with BLM. All legal and approved means will be employed to contain weed infestations on Refuge lands.

Archeological

Alternative A (No Action) - Under this alternative, BLM will continue to use the proposed land as a multi-use area. Archeological resources, such as tepee rings, will continued to be threaten by off-road vehicles.

Alternative B (Preferred Action) - A number of archeological sites exist on the proposed land transfer. Archeological resources within any fee title lands of the Refuge receive protection under Federal laws mandating the management and protection of cultural resources. That same law applies to BLM; however, their closest staff are in Craig, Colorado. With the control of off-road vehicle use, archeological sites, such as tepee rings, will have additional protection.

Effects on the Social and Economic Environment

Social and Economic Issues

Alternative A (No Action) - The BLM land is currently permitting a grazing lease to one lessee. Under this alternative, the land will continue to be leased for grazing by BLM. Visual impacts from a gravel pit operated by Moffat County would continue. A new gravel pit may be developed on the Refuge boundary.

Alternative B (Preferred Action) - The Refuge staff plans on continuing to graze the proposed transferred land. The Refuge will first complete a compatibility determination, then issue a grazing permit for the transferred land. Moffat County would be allowed to operate the existing gravel pit, and perhaps even to develop a new pit, if these activities are found to be compatible with the purposes of the Refuge.

Table 1. Projected impacts associated with implementing Alternatives A or B.		
Impacts	Alternative A No Action	Alternative B Preferred Alternative
Upland Shrub Habitat	BLM manages approximately 6,000 acres for multiple uses.	USFWS manages approximately 6,000 acres as an addition to Browns Park NWR as wildlife habitat.
Off-road Use	Off-road use is permitted.	Off-road use will not be permitted. Vehicle use will be restricted to improved dirt roads.
Mineral Mining	Mineral mining is permitted.	Mineral mining is not permitted, with the exception of a gravel pit for Moffat County, if it is compatible with the purposes of the Refuge.
Oil and Gas Development	Oil and gas development is permitted.	Oil and gas development is not permitted.
Grazing	Permitted grazing base will continue.	Permitted grazing base will be issued with completion of compatibility determination.
Noxious Weed Control	BLM contracts for weed control.	USFWS will actively control noxious weeds.
Archaeological Resources	BLM will be responsible for archaeological resource protection. Some impact has taken place from off-road vehicle use.	USFWS will be responsible for archaeological resource protection.

Unavoidable Adverse Impacts

Under Alternative A, mineral mining and gas and oil development would remain a permitted use and could impact the biological environment by removal of vegetation/habitat. The impacted area could also be a source for weedy and noxious weed environment. Under Alternative B, no adverse impacts would occur to the biological environment.

Irreversible and Irretrievable Commitment of Resources

The selection of Alternative A or B would not result in any irreversible or irretrievable commitment of resources. Lands under both Alternatives would remain under Federal ownership and require an irreversible and irretrievable commitment of Federal money and staff time to manage lands. Under Alternative B, there would be additional resources needed by the Refuge, such as expenditures for fuel and staff, to monitor transfer land.

Short-term Uses Versus Long-term Productivity

Under Alternatives A and B, the short-term and long-term productivity of the proposed transferred land would not change from its current use of managing wildlife habitat and maintaining compatible grazing practice. Long-term productivity of vegetation health should increase under Alternative B with the added resource protection. This would be accomplished in part by restricting mineral development, off-road vehicle use, oil and gas development, and maintaining and protecting the biological diversity. The public would lose the short- and long-term opportunity of off-road vehicle use, however, maintain the short- and long-term opportunities for wildlife-dependent recreational activities.

Cumulative Impacts

Alternative A: With increased use by the public of Federal lands over the next several years, there is a probable increase of resources being impacted, such as wildlife habitat and archeological artifacts, by off-road vehicles, mineral development, and oil and gas development. It is also determined that uses occurring on these lands, between Highway 318 and the Refuge boundary, are a potential source of harm to the Refuge and the wildlife that uses it. Mineral development, off-road vehicle use, and oil and gas development also have the potential to impact the Refuge. The Refuge will continue to be impacted by public land users, hunters and campers, that violated Refuge regulations while doing something that was permissible on the adjacent BLM land.

Alternative B: With acceptance of the approximately 6,000 acres of BLM land, the Refuge would protect the resources, wildlife habitat and cultural, as well as the resources on the Refuge by defining a clear Refuge boundary. To accomplish this, land use restrictions that do not allow mineral development (possible exception--County gravel pit), off-road vehicle use, and oil and gas development would be established on the proposed transfer.

CHAPTER 5. INTERIM COMPATIBILITY DETERMINATION

Refuges are Primary-Use Areas

Units of the National Wildlife Refuge System are managed as primary-use areas, that is, primarily for the benefit of fish, wildlife, and their habitats. In addition, Refuges are closed to other uses unless specifically and formally opened (National Wildlife Refuge System Administration Act of 1966 [NWRAA of 1966, 16 U.S.C. 668dd]). This contrasts with units of other Federal land management systems managed under a multiple-use mandate (i.e., national forests administered by the U.S. Forest Service and public lands administered by the U.S. Bureau of Land Management).

The Compatibility Standard

Before activities or uses can be allowed on a national wildlife refuge, Federal law requires that they be formally determined to be “. . . compatible with the major purposes for which such areas were established . . .” (NWRAA of 1966). A compatible use is a use that, in sound professional judgement of the Director, will not materially interfere with or detract from the fulfillment of the mission of the Refuge System or the purpose of the Refuge (NWRS Improvement Act of 1997).

For recreational uses to be allowed, it must be determined that the uses are practicable and that they will not interfere with the primary purposes for which the areas were established.

Interim Compatibility Determination

The Service is required by Executive Order 12996 of March 25, 1996, to identify, prior to acquisition of new refuges or refuge additions, existing owner-authorized, wildlife-dependent recreational activities that would be allowed following the transfer of land to the Service. Wildlife-dependent recreational activities within the proposed transfer are identified in Table 2.

The proposed transferred land is currently in Federal ownership, and public access is allowed. The proposed transferred land will continue to be in Federal ownership with public access allowed and controlled.

Table 2. Interim Compatibility Determination Matrix			
Wildlife-dependent Recreation Activity	Existing Activity	Compatible for Interim Period	Interim Use Allowed?
Wildlife Observation	Yes	Yes	Yes
Environmental Interpretation	Yes	Yes	Yes
Wildlife Photography	Yes	Yes	Yes
Environmental Education	Yes	Yes	Yes
Hunting	Yes	Yes	Yes
Fishing	No	No	No

Chapter 6. Coordination and Environmental Review

Agency Coordination

The proposal for the transfer of BLM land to Browns Park NWR, through the authorization of an executive boundary to protect approximately 6,000 acres, has been discussed with landowners; conservation organizations; Federal, State, and county governments; and other interested groups and individuals.

This Environmental Assessment addresses the protection of uplands, primarily through fee title transfer, by the Service under the direction of the National Wildlife Refuge System.

No cost for purchasing land interest will be associated with this project. However, administrative cost will be incurred by each agency to complete the land transfer.

National Environmental Policy Act

As a Federal agency, the U.S. Fish and Wildlife Service must comply with provisions of NEPA. An Environmental Assessment is required under NEPA to evaluate reasonable alternatives that will meet stated objectives and to assess the possible impacts to the human environment. The Environmental Assessment serves as the basis for determining whether implementation of the proposed action would constitute a major Federal action significantly affecting the quality of the human environment. The Environmental Assessment also facilitates the involvement of government agencies and the public in the decision making process.

Other Federal Laws, Regulations, and Executive Orders

In undertaking the proposed action, the Service would comply with a number of Federal laws, executive orders, and legislative acts including Floodplain Management (Executive Order 11988); Intergovernmental Review of Federal Programs (Executive Order 12372); Protection of Historical, Archaeological and Scientific Properties (Executive Order 11593); Protection of Wetlands (Executive Order 11990); Management and General Public Use of the National Wildlife Refuge System (Executive Order 12996); Endangered Species Act of 1973, as amended; Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, as amended; Refuge Recreation Act, as amended; Refuge System Administration Act, as amended; National Historic Preservation Act of 1966, as amended.

Distribution and Availability

Copies of this Environmental Assessment were sent to Federal, State, and County legislative delegations and agencies, private groups, and interested individuals. Additional copies of this document are available at the U.S. Fish and Wildlife Service, Browns Park National Wildlife Refuge, 1318 Highway 318, Maybell, CO 81640 (tel. 970-365-3613; fax 970-365-3614) and the U.S. Fish and Wildlife Service, National Wildlife Refuge System, Division of Realty, P.O. Box 25486 - DFC, Denver, CO 80225 (tel. 303-236-8145 ext.658; fax 303-236-4792).

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